

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claims 11, 13 and 14 have been amended, and claim 12 has been cancelled, in response to the rejections of these claims under 35 U.S.C. §112. Claims 13 and 14 have also been amended to depend on claim 11 as suggested by the Examiner. As a result of these amendments, Applicants respectfully submit that the rejection has been rendered moot.

Claim 18 has been amended to indicate that the polysiloxane is obtained by subjecting only the organosilicon compound according to claim 1 to polycondensation. Please see the term "only" at page 31, line 15 of the specification.

Claim 19 has been amended to specify that the organosilicon compound is represented by Formula (8), as disclosed on page 33 of the specification.

Claim 20 has been amended to indicate that the organosilicon compound is represented by Formula (4), (5) or (8) as set forth on page 33.

Claims 21-24 have been amended consistent with the changes to claim 19.

The allowance of claims 1-10, 15-17 and 25-31 is noted. In view of the amendments to claims 11, 13 and 14, it is submitted that these claims are also allowable.

The patentability of the subject matter of claims 18-24 over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 18-24 under 35 U.S.C. §102(a) or 35 U.S.C. §103(a) as being anticipated or suggested by Morimoto et al. (WO '870, as translated according to US '873) is respectfully traversed.

Applicants respectfully submit that in view of the amendments to claims 18-24, the subject matter of these claims is patentable over the applied references. As apparent from MPEP 2113, in considering the patentability of product-by-process claims, the structure implied by the process steps should be considered when assessing patentability of the claims over the prior art. Considering the amendments to claims 18-24, it is apparent that the structures of the polysiloxanes of these claims is distinct from, and not

suggested by, the compounds of Formula (1) in column 2 of the reference, specifically referred to by the Examiner.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Nobumasa OOTAKE et al.

By:



Michael R. Davis
Registration No. 25,134
Attorney for Applicants

MRD/pth
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
January 14, 2008